



STATE OF NEVADA  
**STATE CONSERVATION COMMISSION**

333 W. Nye Lane, Room 126  
Carson City, Nevada 89706-0857  
Phone (775) 687-6977 - Fax (775) 687-3783

**MINUTES**  
**STATE CONSERVATION COMMISSION**

**February 25, 2004**

DEPARTMENT OF CONSERVATION & NATURAL RESOURCES CONFERENCE ROOM  
**123 WEST NYE LANE, ROOM 217**  
**CARSON CITY, NV 89706**

**I. CALL TO ORDER**

- A.** The meeting was called to order at 10:00 a.m. on Wednesday, February 25, 2004 by Chairman James Settelmeyer. Self-introductions of those present as follows:

**MEMBERS PRESENT**

James Settelmeyer, Carson Valley Conservation District, Douglas County  
Keith Whipple, Lincoln County Conservation District, Lincoln County  
Sterling Wines, White Pine Conservation District, White Pine County  
Judy Currier, Conservation District of Southern Nevada, Clark County  
Joe Sicking, Paradise/Sonoma Conservation District, Humboldt County  
Howard Glancy, Dayton Valley Conservation District, Lyon County

**MEMBERS ABSENT**

Dr. Rangesan Narayanan, UNR, College of Agriculture  
Don Henderson, Department of Agriculture  
Vance Vesco, Big Meadow Conservation District, Pershing County

**OTHERS PRESENT**

Pamela B. Wilcox, Executive Secretary to the Commission  
Sandi Gotta, Nevada Division of Conservation Districts  
Kelly McGowan, Nevada Division of Conservation Districts  
Chris Freeman, Nevada Association of Conservation Districts  
Ana J. Jimenez, Nevada Division of Conservation Districts  
Gretchen Warner, Lahontan Conservation District

Kevin Piper, Dayton Valley Conservation District  
Dan Kaffer, Natural Resource Conservation Service  
James "Bill" Daily, Natural Resource Conservation Service  
Dick Reason, Tonopah Conservation District

**II. ANNUAL ELECTION OF OFFICERS TO SERVE AS CHAIRPERSON AND VICE-CHAIRPERSON \* ACTION \***

- A. Chairman Settlemeyer opened nominations. Commissioner Currier nominated Commissioner Keith Whipple for Vice Chairperson and Commissioner Joe Sicking for Chairman. Commissioner Sicking nominated Chairman Settlemeyer for Chairman.
- B. Commissioner Whipple made a motion to close nominations for Chairman, Commissioner Glancy seconded the motion, motion passed. Commissioner Sicking made a motion to close nominations for Vice Chairperson. Keith Whipple seconded the motion, motion passed.
- C. Chairman Settlemeyer was voted Chairman by a show of hands of 3 members of the commission; Commissioner Whipple was elected to serve as Vice Chairman by a unanimous vote.

**III. REVIEW AND AMENDMENT OF MINUTES \* ACTION \***

- A. Commissioner Sicking made a motion to approve the minutes from the November 4<sup>th</sup> & 6<sup>th</sup> meeting. Commissioner Whipple seconded the motion, motion passed.

**IV. PUBLIC COMMENT**

Kevin Piper from the Dayton Valley Conservation District presented an article about the Nevada Supreme Court's ruling, ordering the Department of Transportation to pay the Employees Retirement System more than \$300,000 in back contributions for five archeologists. The Department of Transportation did not pay the contributions because they argued that the archeologists were independent contractors, not employees. This issue was brought up in one of Dayton Valley's meetings as a question of whether it may apply to conservation district employees.

**V. INTERNAL DIVISION REPORTS - \* ACTION \***

- A. Ms. Wilcox gave a fiscal report to the commission. After the districts were found to be state agencies for the purpose of liability insurance by the attorney general's office, staff submitted a list of all the districts' employees, supervisors and registered vehicles to the attorney general's office. That list will assist the attorney general's office in providing a premium for the liability insurance coverage. There is a preliminary estimate of \$16,000 for half of the current year and it will be retroactive to the day the opinion from the attorney general's office was received in January 2004. Staff will have to go to the Interim Finance Committee to ask for a revision to the budget and ask for funds from the state contingency fund, in order to cover the new liability expense. Ms. Wilcox asked the commission if they wished to write a letter of support to the Interim Finance Committee and if they wish to do so, staff would draft the letter for Chairman Settlemeyer's signature. Chairman Settlemeyer asked if there was a motion to write a letter of support to the Interim
- B. Finance Committee, Commissioner Whipple made a motion to write a letter of support. Commissioner Sicking seconded the motion. Motion passed.
- C. Reports from Staff – Kelly and Sandi

- a. Reviewed the agenda and minute logs. Ms. Wilcox asked staff to remind the districts of the requirement to submit minutes and agendas within 30 days per NAC 548.110.
- b. Kelly informed the commission about the hazardous fuels reduction conference that will be held March 11, 2004. The Bureau of Land Management will sponsor it. Kelly thought it might be something the districts would be interested in attending.
- c. Kelly talked about a letter he received concerning the Perkins Grant, which funds the majority of high school vocational agricultural programs and part of Cooperative Extension (4-H youth programs). The purpose of the letter was to urge people to write to their congressmen and President Bush to not cut these funds. The impact of the cuts would result in the loss of high school vocational agriculture classes, FFA programs, teaching jobs, FFA conventions and 4-H activities. A copy of the letter was emailed to all of the districts. Commissioner Whipple felt that it would be worthwhile to provide support to this issue on the local level.
- d. Kelly mentioned that public meetings are being held concerning the restrictions on burning household waste, in open burn barrels within 10 miles of a collection facility or a dump. Kevin Piper with the Dayton Valley Conservation District said that the Nevada Division of Environmental Protection is no longer pursuing the proposed burning regulations.
- e. Kelly talked about a letter from UNR College of Agriculture and Biotechnology and Natural Resources, asking for nominations for Nevada's outstanding agriculturalist. The nominee does not have to be an actual farmer, it can be someone who teaches vocational agriculture. The letter and the applications for nominees will go out to all the districts.
- f. Kelly attended a risk management seminar that assists agriculture and livestock producers assess and prepare for potential losses. He distributed a brochure pertaining to the different programs that are available.
- g. Sandi had follow up on the commission's question about the resolution for getting additional funding for districts. A questionnaire was drafted for the commission to review and comment on. The questionnaire included questions about how districts would use additional funding if available, current funding sources, current programs and resource issues that they would like to address but are unable to do so due to a lack of funding.
- h. Sandi informed the commission she would be going to Washington, DC in March and that she would be meeting with U.S. Congressional staff and asked the commission if they had any issues they wanted her to take to them. Commissioner Whipple asked Sandi if she could address the Perkins Grant issue with the congressional staff. Chairman Settelmeyer asked if there was a motion to have Sandi address, with the congressional staff, the concerns they have with the possible cuts to the Perkins Grant. Commissioner Whipple made a motion to the latter and

asked Sandi to magnify the direct effect on Nevada if the cuts are made. Commissioner Sicking seconded the motion. Motion passed by unanimous vote.

- i. Kelly talked about the filing of Financial Disclosure forms by conservation district supervisors. Marilyn McKenzie from the Nevada Tahoe Conservation District told Kelly that a Washoe County district attorney advised them to fill out the Financial Disclosure forms, because indeed they are required to fill them out. Kelly and Sandi researched several statutes including NRS 548 and 281. They also talked to the Ethics Commission on this subject and were told that the conservation district supervisors are not required to file the financial disclosure statements with them. However, it is possible that district supervisors are required to file them with the secretary of state. There was no decision or conclusion made at the end of this discussion as far as whether or not the district supervisors are required to fill out the Financial Disclosure Statements. Staff will continue to pursue and inform the Commission and conservation districts as more information becomes available.

## **VI. REPORTS TO THE COMMISSION**

- A. **Department of Conservation and Natural Resources** - Director, Mike Turnipseed was not present.
- B. **Department of Agriculture** - Director, Don Henderson was not present.
- C. **UNR** - Dr. Rangesan Narayanan was not present.
- D. **NRCS** - James Daily spoke on behalf of State Conservationist, Livia Marquez. James Daily congratulated the conservation districts and the National Association of Conservation Districts for their lobbying efforts. As a result of all the lobbying efforts, NRCS received more funding for the Farm Bill programs. NRCS received \$9.6 million to implement and administer Farm Bill programs this year. Last year they received \$4.7 million in program funding, but that did not include the funding needed for their staff to implement the programs. This years funds need to be committed by May 1, 2004. Funds not committed by the due date, will be given to another state.

Senator Reid's office contacted Chairman Settlemeyer to discuss the letter they had received from the commission addressing their concerns about the possible NRCS Reno field office closure. Chairman Settlemeyer advised Senator Reid's staff that he was concerned about the Reno field office employees, as far as being reassigned before the office was closed. Which had not been done, as far as he knew.

James Daily said that the letter to the employees with their new assignments had gone out the day before, and that there would not be a lapse in coverage. Mr. Daily added that part of the driver behind the closure issue was that the chief of NRCS had indicated to congress as well as the department that it would be NRCS' policy that employees will be moved to wherever there is a need to satisfy Farm Bill program expenditures. He explained that wherever there is the most workload that is where NRCS staff will be located.

Ms. Wilcox asked James Daily to take a message back to Livia Marques, about the staff's concerns. The commission meets regularly and NRCS is always afforded time on

the agenda to address the commission. In the past, the partnership between Conservation Districts and NRCS, which is formalized in an agreement between the two agencies, has given the commission the benefit of getting regular reports. When NRCS has contemplated doing something as drastic as closing an NRCS field office, it has been discussed with the commission as well as the districts who would be effected by the closure to allow CDs, the Division of CDs and the Commission to assist NRCS where necessary. Ms. Wilcox expressed her personal concern that the communication did not happen in the case of the closure of the Reno field office and that it should have happened. Chairman Settlemeyer agreed with Ms. Wilcox and they both hope that the lines of communication will continue to be open as they have been in the past.

- E. **Farm Service Agency** - Director, Roger Van Valkenburg was not present.
- F. **Nevada Association of Conservation Districts** – President, Chris Freeman thanked everyone who participated in the Nevada Association of Conservation Districts annual meeting last November. Sixty-five people registered for the meeting and that number does not include spouses and guest speakers. The auction that was held raised \$2,100 for the scholarship fund. That funding will allow the association to award three scholarships this year. Mr. Freeman will be sending out the notices for the scholarships soon, with a due date of May 15. The scholarships will be awarded before the new fiscal year starts in July. The association has two scholarships for Range Camp; Range Camp is June 20 – 26, 2004. Mr. Freeman thanked the Commission's staff for getting a response on the liability for districts issue in a timely manner in order to meet districts needs. He also thanked the Lincoln Conservation District for their donation to the association for the travel fund. The next annual meeting will be held at the Carson Valley Inn in Gardnerville on October 27 & 28, 2004. This year is an election year, so districts need to schedule their election the first 10 days of November. Mr. Freeman will meet with Chairman Settlemeyer to finalize the meeting arrangements.

## **VII. OLD BUSINESS**

- A. **Review of and determination of compliance with legal requirements of the final FY 02 – 03 Financial Report for Ruby Valley Conservation District. \* Action \***  
No action taken due to non-receipt of required documents from Ruby Valley CD.
- B. **The Commission may award distribution of grant funds to Ruby Valley Conservation District as per (NAC 548.120) \*ACTION\***  
No action taken due to non-receipt of required documents from Ruby Valley CD.

## **VIII. NEW BUSINESS**

- A. **US Forest Service reports on programs and joint efforts with Conservation Districts – Tom Baker:**

Tom Baker thanked the commission for the opportunity to be able to talk about US Forest Service grant programs. Mr. Baker is involved in several grant programs. He specifically talked about the Rural Community Assistance Grant. This grant assists communities depending on the natural resources in their communities. Nevada is viewed as being dependent on natural resources for recreational purposes. With this grant, they ask that people look at projects that will help fulfill a mission within the community. Some districts may be interested in this grant program. Mr. Baker offered his assistance with any of the US Forest Service grant opportunities by contacting him at his office at (775) 355-5308.

**B. Request from Tonopah Conservation District to NRCS to fill upcoming vacant position to service the Tonopah and Esmeralda Conservation District areas:**

Dick Reason from the Tonopah Conservation District attended the commission meeting to express concern about the forthcoming retirement of the NRCS' resource conservationist that has serviced the Tonopah Conservation District area and the Esmeralda Conservation District for the last 25 years. They are concerned that after he retires, he will not be replaced by NRCS and that they will be serviced out of the Las Vegas NRCS field office. That concerns them because the workload for the current conservationist in the Las Vegas field office will increase substantially. He also expressed concern that the required travel time from Las Vegas to Tonopah to provide service would not be efficient use of NRCS time and resources. The major concern is that they may, in time, lose total support from NRCS. They asked the commission to ask NRCS to replace the support in the Tonopah area.

James Daily responded to this concern by saying that they have additional staff in White Pine and in the Ely office that could provide support to them. Nothing concrete has been decided yet and nothing will be decided probably until September when NRCS has a better idea of what their budget is going to look like. Mr. Daily also added that they don't have as much discretionary funds as they once had and that technical assistance funds are now tied to program dollar allocations.

Commissioner Currier said that the Las Vegas NRCS field office lost Rick Orr and Jarrod has taken over Rick Orr's duties. In short, this means that the Las Vegas field office has less staff. Commissioner Currier made a motion to support the Tonopah Conservation District's request and for staff to draft a letter stating that any position that is vacated should be replaced so the districts may continue to receive adequate support. Commissioner Sicking seconded the motion. Motion passed.

James Daily explained that while evaluating Rick Orr's supervisory position, re-staffing the position could not be justified in NRCS' view.

Ms. Wilcox expressed concern about the NRCS' and conservation districts' partnership. In the past their partnership always consisted of NRCS providing assistance to whatever the districts' priorities were, including urban priorities. There are many districts with strong urban programs including Clark County, Washoe/Storey, the Nevada Tahoe District and the Carson Valley District. She added that we need to provide NRCS support in Washington, DC for funding to continue supporting urban programs, otherwise the partnership between NRCS and districts will be unraveling.

Mr. Daily responded that NRCS is currently under a microscope by the office of management and budget. Further, he said that it has been a challenge for NRCS to get money for technical assistance, because it is not attached to any program. The office of management and budget needs to better understand what technical assistance is, and until that happens, the problem will continue. Everything NRCS does right now has to be attached to a program, traditionally NRCS was able to assist districts in programs that had nothing to do with Farm Bill programs, but were for the benefit of the land.

Now, the direction they are receiving, is that if they are not working on a Farm Bill project, then what they are doing will be questioned.

Chairman Settlemeyer reiterated that there are decisions being made by NRCS that directly effect conservation districts, without considering the commission or any conservation district. He hopes that in the future, before some of the decisions that drastically effect conservation districts occur; they could be discussed in an open forum such as commission meetings. He also expressed that the commission is not in disagreement, on the contrary the commission wishes to support NRCS in not losing any staff, offices or resources.

Dick Reason with the Tonopah Conservation District added that they understand what NRCS is doing and they understand that the Las Vegas field office will have to service their area in Tonopah even though the office is 350 miles away. He stated that NRCS should provide the staff so they can utilize the programs. If there is no staff from NRCS to provide assistance, districts will not be able to participate in the programs and both NRCS and the districts will miss out on the programs.

Commissioner Currier made an amendment to her earlier motion to write another letter to NRCS expressing the commissions support to replace staff positions to support the Tonopah area and to address the concern that if Jarrod or staff that is servicing Las Vegas, is directed to service the Tonopah area, that would leave the Las Vegas area without staff support.

**C. Write letter of support to congress about the Conservation Security Program:**

Kelly said NRCS is collecting comments about how the limited funds of the CSP program should be utilized and how the funding should be distributed within the program. There is \$21 million available nationwide. He felt there should be some kind of initiative taken by the districts, so that Nevada does not miss out on the CSP funding. Commissioner Sicking made a motion to write a letter of support, to include; that the program be locally led and watershed based. Commissioner Whipple seconded the motion. Motion passed.

**D. Report and discuss the correspondence with the Wildlife Commission and the Department of Wildlife concerning the wildlife compensation program:**

Kelly advised the commission to make a decision between the two suggestions that were offered by Mike Cox, big game biologist with the Nevada Department of Wildlife. The first is to meet with Terry Crawforth, Director of the Department of Wildlife. The second was to contact the big game sub committee of the Wildlife Commission and discuss compensation issues with them first and then meet with the director of the department. Kelly was instructed by the commission to try to set up a meeting with Wildlife Commission at their convenience.

**E. Report and possible action on proposed actions of the Executive Group of the signers of the MOU for Coordinated Resource Management Program (CRMP):**

Ms. Wilcox gave a brief report on the Coordinated Resource Management Program MOU. The CRMP started with conservation districts back in the 1950's. The Vya Conservation District and the North East Nevada Conservation District were leaders at the beginning in doing coordinated planning. The idea behind CRMP was to get all the interests together and plan all the resources within the planning area, regardless of who owns the land, so they would be able to plan for public and private land with all interested agencies. In 1980 the State Conservation Commission took leadership in starting a Nevada Coordinated Resource Management Program, Memorandum of Understanding to encourage and support CRMP. It is an effort that has not received much focus in the last few years. As a result, Don Henderson had made a request to meet with everyone to see if there is interest in starting that effort once again. The initial meeting was held at the BLM state office in Reno. In attendance at that meeting were the heads of every state and federal resource agency. Everyone in attendance wanted to resume the CRMP state level executive group. There will be another meeting scheduled in April. Ms. Wilcox offered to send people out to the districts to talk about CRMP; she added that the CRMP should be an option in every district's tool kit.

Dan Kaffer encouraged the districts and the commission to embrace bringing back the CRMP.

**F. Facilitated session with Dan Kaffer – Mr. Kaffer:**

Dan Kaffer provided assistance to implement a State Conservation Commission Policy & Procedure to award grants to districts in the case that one of the districts does not expend the entire amount of \$5,000. The purpose of the implemented procedure is to distribute the amount that was not expended by any of the 28 districts, to other districts that may qualify to receive it. Currently whatever amount is not expended gets reverted back into the state's general fund. Commissioner Sicking made a motion to accept all the changes presented to the commission. Commissioner Whipple seconded the motion. Motion passed.

Item F-2 was tabled due to the lack of quorum.

**IX. STAFF ITEMS**

Sandi gave the commission the quote from the attorney general's office of \$16,143.99 for 6 months for liability insurance for board members and supervisors only. They will be billed separately for vehicles and office property.

**X. PUBLIC COMMENTS**

None.

**XI. NEXT COMMISSION MEETING**

A. The next commission meeting will be on Thursday, June 17, 2004, the time and location of the meeting will be decided at a later date by staff.

**XII. ADJOURNMENT**

The meeting was adjourned at 4:40 pm.

Respectfully submitted,



Ana J. Jimenez  
Administrative Assistant II